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UBER TECHNOLOGIES, INC.
18 and OTTOMOTTO LLC

19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA
21 SAN FRANCISCO DIVISION

22 WAYMO LLC,
23 Plaintiff,
24 v.
25 UBER TECHNOLOGIES, INC.,
26 OTTOMOTTO LLC; OTTO TRUCKING LLC,
27 Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE
YANG IN SUPPORT OF
DEFENDANTS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PORTIONS OF THEIR REPLY IN
SUPPORT OF MOTION FOR
SUMMARY JUDGMENT AND
EXHIBITS THERETO**

1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this
3 declaration based upon matters within my own personal knowledge and if called as a witness, I
4 could and would competently testify to the matters set forth herein. I make this declaration in
5 support of Defendants' Administrative Motion to File Under Seal Portions of Their Reply in
6 Support of Motion for Summary Judgment and Exhibits Thereto.

7 2. I have reviewed the following documents and confirmed that only the portions
8 identified below merit sealing:

Document	Portions to Be Filed Under Seal	Designating Party
Reply in Support of Motion for Summary Judgment ("Reply")	Highlighted Portions	Plaintiff (Green) Otto Trucking (Blue) Velodyne (Yellow)
Exhibits 1-2 to Declaration of Shane Brun	Highlighted Portions	Otto Trucking (Blue)
Exhibit 3 to the Declaration of Shane Brun	Entirety	Otto Trucking

17 3. The blue-highlighted portions of the Reply, the blue-highlighted portions of
18 Exhibits 1-2 to the Declaration of Shane Brun, and the entirety of Exhibit 3 to the Declaration of
19 Shane Brun contain highly confidential information regarding the details of a business agreement.
20 This highly confidential information is not publicly known, and its confidentiality is strictly
21 maintained. Disclosure of this information could allow competitors to obtain a competitive
22 advantage over Defendants by giving them details into how defendants negotiate their business
23 agreements, such that Defendants' competitive standing could be significantly harmed.

24 4. The green-highlighted portions of the Reply contain information that has been
25 designated "Highly Confidential – Attorneys' Eyes Only" by Waymo in accordance with the
26 Patent Local Rule 2-2 Interim Model Protective Order ("Protective Order"), which the parties
27 have agreed governs this case (Transcript of 3/16/2017 Hearing, page 6). Defendants file this
28 material under seal in accordance with Paragraph 14.4 of the Protective Order.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 18th day of September, 2017 in San Francisco, California.

Michelle Yang

I, Michael A. Jacobs, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, X.B., I hereby attest that Michelle Yang has concurred in this filing.

MICHAEL A. JACOBS